

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**JOSE S. PEREZ,**

Defendant

**8:22CR139**

## ORDER

This matter is before the court on defendant, Jose S. Perez's Unopposed Motion to Continue Trial [37]. For the reasons set forth in the motion, the undersigned judge finds good cause to grant a continuance. Accordingly:

**IT IS ORDERED** that the Unopposed Motion to Continue Trial [37] is granted, as follows:

1. The jury trial, **for both defendants**, now set for October 4, 2022, is continued to **January 3, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 3, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. A party may object to this order by filing an "Objection to Magistrate Judge's Order" no later than **September 30, 2022**. The objecting party must comply with all requirements of NECrimR 59.2.

**DATED: September 23, 2022**

**BY THE COURT:**

**s/ Michael D. Nelson**  
**United States Magistrate Judge**